

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

KHALIL K. HAMMOND

CIVIL ACTION

v.

LANCASTER CITY BUREAU OF POLICE, :
LANCASTER CITY, DETECTIVE :
SERGEANT JARRED P. BERKIHISER, :
DETETIVE MICHAEL GERACE, :
ASSISTANT PUBLIC DEFENDER DAVID :
L. BLANCK, ATTORNEY MARK F. :
WALMER and LANCASTER COUNTY'S :
DISTRICT ATTORNEY'S OFFICE :

NO. 17-1885

ORDER

NOW, this 16th day of December, 2021, upon consideration of the Defendants Lancaster County District Attorney's Office and Assistant Public Defender David L. Blanck's Motion to Dismiss Plaintiff's Second Amended Supplemental Complaint (Document No. 118) and plaintiff's response, it is **ORDERED** that the motion is **GRANTED**.

IT IS FURTHER ORDERED:

1. The Plaintiff's Second Amended Complaint is **DISMISSED WITH PREJUDICE** as to the defendant David L. Blanck.
2. To the extent that the motion seeks to dismiss Count I, it is **GRANTED**.
3. Count I is **DISMISSED WITHOUT PREJUDICE** as to the Lancaster County District Attorney's Office.
4. To the extent that the motion seeks to dismiss Counts II, III, IV, and V, it is **GRANTED**.
5. Counts II, III, IV, and V are **DISMISSED WITH PREJUDICE** as to the

Lancaster County District Attorney's Office.

6. We decline to exercise supplemental jurisdiction over Counts VI, VII, VIII, and IX pursuant to 28 U.S.C. § 1367(c)(3).

7. Counts VI, VII, VIII, and IX are **DISMISSED WITHOUT PREJUDICE** to the plaintiff's right to bring those claims in state court.

/s/ TIMOTHY J. SAVAGE J.